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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/713,929	11/16/2000	Hideki Tai	JP919990195	4074
7590	06/29/2005		EXAMINER	
Anne Vachon Dougherty Esq On Behalf Of IBM Corporation 3173 Cedar Road Yorktown Heights, NY 10598			HOSSAIN, TANIM M	
			ART UNIT	PAPER NUMBER
			2145	

DATE MAILED: 06/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/713,929	TAI ET AL.	
	Examiner	Art Unit	
	Tanim Hossain	2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 07 April 2005.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-9 is/are pending in the application.  
 4a) Of the above claim(s) 2 and 7 is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1,3-6,8 and 9 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1.) Certified copies of the priority documents have been received.  
 2.) Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3.) Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____                                    |



**DETAILED ACTION**

Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kase (U.S. 6,668,249) in view of Karr Jr. (U.S. 2001/0022558).

As per claim 1, Kase teaches a mobile agent management apparatus comprising: a plurality of agent servers (column 19, lines 5-62); a registration server for maintaining location information of mobile agents (19; 5-62), wherein each of said plurality of agent servers comprises: means for maintaining history of movement of each of said mobile agents including a counter for accumulating a count of the accumulated number of movements for each of said mobile agents; and periodically generating requests for updating location information of each of said agents, including at least a mobile agent identifier and said accumulated number of movements for said mobile agent, to renew location information at said registration server (19; 5-62). Kase does not specifically teach the requesting of location update information. Karr

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teaches the requesting of location information in a mobile agent (Abstract). It would have been obvious to one of ordinary skill in the art at the time of the invention to include the ability to request information as taught by Karr in the system of Kase. The motivation for doing so lies in the fact that the periodic updating may not be frequent enough, and an on-demand update is needed. Including Karr's teaching into Kase resolves this issue. Both inventions are from the same field of endeavor, namely the location monitoring of mobile agents.

Claim 6 is rejected on the same basis as claim 1.

Claims 3-5, 8, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kase-Karr in view of Ho (U.S. 5,943,621).

As per claim 3, Kase-Karr teaches the apparatus of claim 1, but does not specifically teach that said agent server further comprises comparator means for comparing the count in said counter with a predetermined threshold. Ho teaches a movement threshold measurement (column 5, line 53 – column 6, line 49). It would have been obvious to one of ordinary skill in the art at the time of invention to include the ability to calculate a threshold of movement in a mobile communication network as taught by Ho in the system of Kase-Karr. The motivation for doing so lies in the fact that calculating a threshold would allow proper management to take place with mobile agents that travel frequently, in the form of increased updates, or the like. All inventions are from the same field of endeavor, namely the location monitoring of mobile agents.

As per claim 4, Kase-Karr-Ho teaches the apparatus of claim 1, wherein the request generator of each of said agent servers generates a request to said registration server for updating location information when the count of the accumulated number of movements of a

corresponding mobile agent exceeds a predetermined threshold (Karr: Abstract; Ho: column 5, line 53 – column 6, line 49).

As per claim 5, Kase-Karr-Ho teaches the apparatus of claim 4, wherein said registration server comprises at least one register for maintaining accumulated number of movements and locations of each of said mobile agents in an associated manner and renews said location information of each of said mobile agents only upon receipt of requests for updating location information associated with a higher accumulated number of movements (Ho: column 5, line 53 – column 6, line 49; Karr: paragraph 0145).

As per claim 8, Kase-Karr-Ho teaches the method of claim 6, further comprising comparing said count of the accumulated number of movements to a threshold number of movements (Ho: column 5, line 53 – column 6, line 49).

As per claim 9, Kase-Karr-Ho teaches the method of claim 8, wherein said generating is done when said count of the accumulated number of movements exceeds said threshold number of movements (Ho: column 5, line 53 – column 6, line 49; Karr: 0145).

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tanim Hossain whose telephone number is 571/272-3881. The examiner can normally be reached on 8:30 am - 5 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on 571/272-6159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tanim Hossain  
Patent Examiner  
Art Unit 2145

*V. Martin Wallace*  
VALENCIA MARTIN-WALLACE  
SUPERVISORY PATENT EXAMINER